

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Billy Lee, Jr.

Docket No. 5:13-MJ-1456-1

Petition for Action on Probation

COMES NOW Nikki Allen, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Billy Lee, Jr., who, upon an earlier plea of guilty to Breaking Into a Coin Operated Machine in violation of 18 U.S.C. §13 assimilating N.C.G.S. 14-56.1, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on October 8, 2013, to a 12 month term of probation under the standard conditions adopted by the court.

On October 17, 2013, Lee tested positive for the use of cocaine. The court agreed to continue supervision and allow him to participate in a church sponsored treatment program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 4, 2013, Lee submitted a urine sample that was positive for cocaine use. He admitted to ingesting cocaine on December 1, 2013. Based on his continued drug use, it is requested that the defendant be ordered to serve one weekend in jail and participate in treatment at a probation office contract site as a sanction for this violation.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 1 weekend, commencing as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Nikki Allen
Nikki Allen
U.S. Probation Officer
Phone: 910-483-8613
Executed On: December 6, 2013

ORDER OF COURT

Considered and ordered this 6th day of December, 2013, and ordered filed and made a part of the records in the above case.



James E. Gates
United States Magistrate Judge